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Filing date: **06/21/2007**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91177296
Party	Defendant NOVANITEK, Inc. NOVANITEK, Inc. 10763 Mapleridge Drive Dallas, TX 75238
Correspondence Address	NOVANITEK INC. 10763 MAPLERIDGE DRIVE DALLAS, TX 75238 nitekinc@aol.com
Submission	Answer
Filer's Name	Erik M. Pelton
Filer's e-mail	emp@tm4smallbiz.com
Signature	/ErikMPelton/
Date	06/21/2007
Attachments	TITAN - Answer to Opposition.pdf (34 pages)(867991 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

BEARINGS LIMITED,)	
Opposer,)	Opposition No. 91177296
v.)	Application. Serial No. 78709886
NOVANITEK, INC.,)	Mark: TITAN
Applicant.)	

ANSWER TO NOTICE OF OPPOSITION

The following is the Answer of NOVANITEK, INC. (hereinafter "Applicant"), owner of Federal Trademark Application Serial No. 78709886 for the mark TITAN, by and through Counsel, Erik M. Pelton, Esq., to the Notice of Opposition mailed May 15, 2007, on behalf of BEARINGS LIMITED. (hereinafter "Opposer"), and assigned Opposition No. 91177296.

Applicant hereby responds, solely for the purpose of this proceeding, to each of the grounds set forth in the Notice of Opposition, as follows:

1. Admitted.
2. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 2 of the Notice of Opposition.
3. Admitted to the extent that the records of the U.S. Patent and Trademark Office substantiate the facts claimed.
4. Admitted to the extent that the records of the U.S. Patent and Trademark Office substantiate the facts claimed.
5. Admitted to the extent that the records of the U.S. Patent and Trademark Office substantiate the facts claimed.
6. Denied.

7. Admitted to the extent that the spellings of the mark differ by one letter.
8. Denied.
9. Denied. The marks are not very similar in pronunciation.
10. Denied.
11. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 11 of the Notice of Opposition.
12. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 12 of the Notice of Opposition.
13. Denied.
14. Denied.
15. Denied.
16. Denied.

FURTHERMORE, Applicant sets forth the following in support of its defense:

20. The word TITAN is diluted in relation to Opposer's goods in International Class 007.
21. Applicant's TITAN mark and Opposer's TRITAN mark are different in sound, meaning, and appearance.
22. Upon information and belief, the goods of Applicant are different from the goods of Opposer.
23. Upon information and belief, Applicant's goods and Opposer's goods travel in different channels of trade.

24. Upon information and belief, Applicant's goods and Opposer's goods are not likely to be marketed or sold together.

25. Upon information and belief, Applicant's consumers are different from Opposer's consumers.

26. Upon information and belief, Applicant's goods are expensive and highly specialized, and the consumers of Applicant's goods are sophisticated.

27. Applicant's TITAN mark and Opposer's TRITAN mark have very different commercial impressions.

28. U.S. Trademark Registrations containing TITAN in International Class 007 include, but are not limited to, Registration Nos.: 3209311, 3238252, 3137109, 3113126, 2898203, 3051747, 29675142876703, 2301520, 2554473, 2276419, 1953301, 1981021, 1717520, 1352448, 1250161, and 0718527, copies of which are attached hereto as Exhibit A.

29. U.S. Trademark Registrations containing TRITAN in International Class 007 include, but are not limited to, Registration Nos.: 3233004, copies of which are attached hereto as Exhibit B.

30. U.S. Trademark Registrations containing TRITON in International Class 007 include, but are not limited to, Registration Nos.: 3158716, 3103151, 3092378, 2748766, 2717956, 2706282, 2609132, and 2414505, copies of which are attached hereto as Exhibit C.

31. Applicant's mark was not cited as a conflict to registration of Opposer's mark in application Serial Number 78455680 by the U.S. Patent and Trademark Office.

32. Applicant's mark and Opposer's mark are not likely to cause confusion, mistake or deception to purchasers as to the source of Opposer's goods.

33. The Notice of Opposition fails to state a claim upon which relief may be granted.

Applicant hereby appoints Erik M. Pelton, a member of the Bar of the State of New Jersey, and Christopher Shiplett, a member of the Bar of the Commonwealth of Virginia, at the firm of

Erik M. Pelton & Associates, PLLC
PO Box 100637
Arlington, Virginia 22210
TEL: (703) 525-8009
FAX: (703) 525-8089

to act as attorneys in the matter of the opposition identified above, to prosecute said opposition, to transact all business in the Patent and Trademark Office, and in the United States courts connected with the opposition, to sign its name to all papers which are hereinafter to be filed in connection therewith, and to receive all communications relating to the same.

WHEREFORE, Applicant prays that the Trademark Trial and Appeal Board deny the Opposition and permit registration of Applicant's proposed mark in Application Serial Number 78715269 in the United States Patent and Trademark Office.

A duplicate copy of this Answer to Notice of Opposition has been sent via First Class Mail to counsel for Opposer on June 21, 2007.

Respectfully Submitted,
NOVANITEK, INC.

By: _____
Erik M. Pelton

Erik M. Pelton & Associates, PLLC
PO Box 100637
Arlington, Virginia 22210
TEL: (703) 525-8009
FAX: (703) 525-8089
EMAIL: emp@tm4smallbiz.com

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the Answer to Notice of Opposition was deposited as First Class mail with the United States Postal Service on June 21, 2007, to Counsel for Opposer at the following address:

David E. Weslow
Sutherland Asbill & Brennan LLP
1275 Pennsylvania Ave., NW
Washington, DC 20004

By: /ErikMPelton/
Erik M. Pelton, Esq.

EXHIBIT A

U.S. Trademark Registration Nos.

3209311, 3238252, 3137109, 3113126, 2898203, 3051747, 29675142876703, 2301520,
2554473, 2276419, 1953301, 1981021, 1717520, 1352448, 1250161, and 0718527

United States Patent Office

718,527

Registered July 18, 1961

AFFIDAVIT SEC. 8
ACCEPTED

PRINCIPAL REGISTER
Trademark

AFFIDAVIT SEC 15
RECEIVED 7-5-67

~~Sec. No. 81,151, filed Sept. 16, 1959~~

TITAN

Solar Aircraft Company (California corporation)
2200 Pacific Highway
San Diego 12, Calif.

For: AIR BREATHING INTERNAL COMBUSTION
GAS TURBINES AND COMPONENTS THEREOF, in
CLASS 23.

First use on or about July 15, 1959; in commerce on or
about Aug. 19, 1959.

Int. Cl.: 7

Prior U.S. Cl.: 23

United States Patent and Trademark Office

Reg. No. 1,250,161

Registered Sep. 6, 1983

TRADEMARK

Principal Register

TITAN

Arcair Company (Delaware corporation)
Lancaster, Ohio 43130

For: HEAVY DUTY MACHINE CARRIAGE
USED TO CONVEY A METAL WORKING
TOOL ALONG A FIXED PATH RELATIVE TO
A WORKPIECE; AND PARTS THEREFOR, in
CLASS 7 (U.S. Cl. 23).

First use Apr. 20, 1981; in commerce Apr. 20,
1981.

Ser. No. 334,347, filed Oct. 26, 1981.

CANDICE ABATE, Examining Attorney

Int. Cl.: 7

Prior U.S. Cl.: 23

United States Patent and Trademark Office

Reg. No. 1,352,448

Registered Aug. 6, 1985

**TRADEMARK
PRINCIPAL REGISTER**

TITAN

TITAN TOOL COMPANY (PENNSYLVANIA
CORPORATION)
7410 MAIN ST.
FAIRVIEW, PA 16415

FOR: POWER-OPERATED STUD DRIVING
TOOLS—NAMELY, STUD DRIVERS, CON-
TROLLED TORQUE STUD DRIVERS, STUD
RETAINERS, TORQUE DRIVERS, SPRING
LOADED SPINDLE ADAPTORS, STUD RE-

MOVERS, AND PIPE DRIVERS, IN CLASS 7
(U.S. CL. 23).

FIRST USE 0-0-1943; IN COMMERCE
0-0-1943.

SER. NO. 494,847, FILED 8-14-1984.

SCOTT GREENBERG, EXAMINING ATTOR-
NEY

Int. Cl.: 7

Prior U.S. Cl.: 23

United States Patent and Trademark Office

Reg. No. 1,717,520

Registered Sep. 22, 1992

**TRADEMARK
PRINCIPAL REGISTER**

TITAN

TITAN TOOL COMPANY (PENNSYLVANIA
CORPORATION)
7410 MAIN STREET
FAIRVIEW, PA 16415

FOR: POWER-OPERATED STUD DRIVING
TOOLS; NAMELY, CONTROLLED TORQUE
STUD DRIVERS, STUD RETAINERS, TORQUE
DRIVERS, SPRING LOADED SPINDLE ADAP-

TORS, STUD REMOVERS AND PIPE DRIVERS,
IN CLASS 7 (U.S. CL. 23).

FIRST USE 0-0-1943; IN COMMERCE
0-0-1943.

OWNER OF U.S. REG. NOS. 1,351,354,
1,352,447, AND 1,352,448.

SER. NO. 74-196,405, FILED 8-20-1991.

J. CHILDRESS, EXAMINING ATTORNEY

Int. Cl.: 7

Prior U.S. Cls.: 13, 19, 21, 23, 31, 34 and 35

Reg. No. 1,981,021

United States Patent and Trademark Office **Registered June 18, 1996**

**TRADEMARK
PRINCIPAL REGISTER**

TITAN

WESTERN STATES MACHINE COMPANY,
THE (UTAH CORPORATION)
1798 FAIRGROVE AVENUE
HAMILTON, OH 45012

FIRST USE 5-0-1995; IN COMMERCE
5-0-1995.

SER. NO. 74-692,006, FILED 6-22-1995.

FOR: CENTRIFUGAL SEPARATOR MA-
CHINES AND PARTS THEREOF, IN CLASS 7
(U.S. CLS. 13, 19, 21, 23, 31, 34 AND 35).

CINDI GREENBAUM, EXAMINING ATTOR-
NEY

Int. Cl.: 7

Prior U.S. Cls.: 13, 19, 21, 23, 31, 34 and 35

United States Patent and Trademark Office

Reg. No. 1,953,301

Registered Jan. 30, 1996

**TRADEMARK
PRINCIPAL REGISTER**

TITAN

**EMERSON ELECTRIC CO. (MISSOURI CORPORATION)
8000 WEST FLORISSANT
P.O. BOX 4100
ST. LOUIS, MO 63136**

**FIRST USE 0-0-1976; IN COMMERCE
0-0-1976.**

SER. NO. 74-646,588, FILED 3-14-1995.

**FOR: ELECTRIC MOTORS, NOT FOR LAND
VEHICLES, IN CLASS 7 (U.S. CLS. 13, 19, 21, 23,
31, 34 AND 35).**

**RICHARD A. STRASER, EXAMINING ATTOR-
NEY**

Int. Cl.: 7

Prior U.S. Cls.: 13, 19, 21, 23, 31, 34, and 35

Reg. No. 2,276,419

United States Patent and Trademark Office

Registered Sep. 7, 1999

**TRADEMARK
PRINCIPAL REGISTER**

TITAN

**ROTZLER INC. (CANADA CORPORATION)
UNIT 17, 12468 - 82ND AVENUE
SURREY, BRITISH COLUMBIA, CANADA V3W
3E9**

**PRIORITY CLAIMED UNDER SEC. 44(D) ON
CANADA APPLICATION NO. 838409, FILED
3-4-1997, REG. NO. TMA487518, EXPIRES
12-31-2012.**

**FOR: HOISTS AND WINCHES, IN CLASS 7
(U.S. CLS. 13, 19, 21, 23, 31, 34 AND 35).**

SN 75-284,219, FILED 4-30-1997.

**FIRST USE 4-0-1997; IN COMMERCE
5-7-1997.**

**TOM WELLINGTON, EXAMINING ATTOR-
NEY**

Int. Cl.: 7

Prior U.S. Cls.: 13, 19, 21, 23, 31, 34 and 35

United States Patent and Trademark Office

Reg. No. 2,554,473

Registered Apr. 2, 2002

**TRADEMARK
PRINCIPAL REGISTER**

TITAN

TITAN INDUSTRIES, INC. (LOUISIANA CORPORATION)
13189 HIGHWAY 190 W.
COVINGTON, LA 70435

FIRST USE 5-28-1987; IN COMMERCE 2-26-1988.

FOR: MACHINERY; NAMELY, HYDRAULIC MARINE CRANES FOR OFFSHORE OIL AND GAS PRODUCTION PLATFORMS, IN CLASS 7 (U.S. CLS. 13, 19, 21, 23, 31, 34 AND 35).

SER. NO. 75-459,454, FILED 3-30-1998.

MATTHEW KLINE, EXAMINING ATTORNEY

Int. Cl.: 7

Prior U.S. Cls.: 13, 19, 21, 23, 31, 34 and 35

Reg. No. 2,301,520

United States Patent and Trademark Office

Registered Dec. 21, 1999

**TRADEMARK
PRINCIPAL REGISTER**

TITAN

**TITAN TOOL, INC. (DELAWARE CORPORATION)
107 BAUER DRIVE
OAKLAND, NJ 07436**

FOR: SPRAY GUNS FOR COATING MATERIALS, IN CLASS 7 (U.S. CLS. 13, 19, 21, 23, 31, 34 AND 35).

**FIRST USE 11-0-1987; IN COMMERCE
11-0-1987.**

OWNER OF U.S. REG. NO. 1,871,024.

SER. NO. 75-444,768, FILED 3-4-1998.

THEODORE MCBRIDE, EXAMINING ATTORNEY

Int. Cl.: 7

Prior U.S. Cls.: 13, 19, 21, 23, 31, 34 and 35

United States Patent and Trademark Office

Reg. No. 2,876,703

Registered Aug. 24, 2004

**TRADEMARK
PRINCIPAL REGISTER**



ENGINE COMPONENTS, INC. (DELAWARE
CORPORATION)
9503 MIDDLEX
SAN ANTONIO, TX 78217

FIRST USE 4-1-2002; IN COMMERCE 4-1-2002.

SER. NO. 76-537,814, FILED 8-15-2003.

FOR: AIRCRAFT ENGINE CYLINDER ASSEM-
BLIES, IN CLASS 7 (U.S. CLS. 13, 19, 21, 23, 31, 34 AND
35).

LINDA MICKLEBURGH, EXAMINING ATTORNEY

Int. Cls.: 7, 9, and 13

**Prior U.S. Cls.: 2, 9, 13, 19, 21, 23, 26, 31, 34, 35, 36,
and 38**

United States Patent and Trademark Office

Reg. No. 2,967,514

Registered July 12, 2005

**TRADEMARK
PRINCIPAL REGISTER**

The logo for Titan, featuring the word "Titan" in a bold, italicized, sans-serif font. The letters are black and have a slight shadow effect, giving them a three-dimensional appearance. The logo is centered on the page.

TITAN SPECIALTIES, LTD. (TEXAS LIMITED
PARTNERSHIP)
2838 WEST ALCOCK
P.O. BOX 2316
PAMPA, TX 790662316

FOR: OIL AND GAS WELL COMPLETION DE-
VICES FOR COMPLETING AND SERVICING
WELLS, PERFORATING GUNS FOR USE IN THE
OIL AND GAS INDUSTRY, IN CLASS 7 (U.S. CLS. 13,
19, 21, 23, 31, 34 AND 35).

FIRST USE 5-1-2000; IN COMMERCE 5-1-2000.

FOR: OIL AND GAS WELL COMPLETION DE-
VICES FOR COMPLETING AND SERVICING
WELLS, NAMELY, DOWN-HOLE LOGGING IN-
STRUMENTS USED FOR RECORDING DOWN-
HOLE INFORMATION, IN CLASS 9 (U.S. CLS. 21,
23, 26, 36 AND 38).

FIRST USE 5-1-2000; IN COMMERCE 5-1-2000.

FOR: OIL AND GAS WELL COMPLETION DE-
VICES FOR COMPLETING AND SERVICING
WELLS, NAMELY, COMMERCIAL SHAPED CHAR-
GES AND RELATED EXPLOSIVE AND HARD-
WARE USED THEREWITH, FOR USE IN THE OIL
AND GAS INDUSTRY, IN CLASS 13 (U.S. CLS. 2
AND 9).

FIRST USE 5-1-2000; IN COMMERCE 5-1-2000.

OWNER OF U.S. REG. NO. 1,959,966.

SN 76-312,859, FILED 9-14-2001.

CAROLYN CATALDO, EXAMINING ATTORNEY

Int. Cl.: 7

Prior U.S. Cls.: 13, 19, 21, 23, 31, 34, and 35

United States Patent and Trademark Office

Reg. No. 3,051,747

Registered Jan. 24, 2006

**TRADEMARK
PRINCIPAL REGISTER**

TITAN

TARBY OF DELAWARE, INC. (DELAWARE
CORPORATION)
2205 E. L. ANDERSON BLVD.
CLAREMORE, OK 740172119

FOR: PROGRESSING CAVITY PUMPS AND RE-
PLACEMENT PARTS THEREFOR, IN CLASS 7 (U.S.
CLS. 13, 19, 21, 23, 31, 34 AND 35).

FIRST USE 11-7-2005; IN COMMERCE 11-7-2005.

THE MARK CONSISTS OF STANDARD CHAR-
ACTERS WITHOUT CLAIM TO ANY PARTICULAR
FONT, STYLE, SIZE, OR COLOR.

SN 78-430,821, FILED 6-7-2004.

DOMINIC J. FERRAIUOLO, EXAMINING ATTOR-
NEY

Int. Cl.: 7

Prior U.S. Cls.: 13, 19, 21, 23, 31, 34, and 35

Reg. No. 2,898,203

United States Patent and Trademark Office

Registered Oct. 26, 2004

**TRADEMARK
PRINCIPAL REGISTER**

The word "TITAN" is rendered in a bold, three-dimensional, blocky font. Each letter has a thick outline and a shaded interior, giving it a metallic, 3D appearance. The letters are slightly slanted to the right.

AUTO CRANE COMPANY, INC. (OKLAHOMA
CORPORATION)
4707 N. MINGO RD.
TULSA, OK 74117

FIRST USE 5-27-2004; IN COMMERCE 5-27-2004.

SN 78-219,869, FILED 2-27-2003.

FOR: TRUCK-MOUNTED CRANE SERVICE
BODY FOR USE WITH INDUSTRIAL MACHINES,
IN CLASS 7 (U.S. CLS. 13, 19, 21, 23, 31, 34 AND 35).

MARIA-VICTORIA SUAREZ, EXAMINING ATTOR-
NEY

Int. Cl.: 7

Prior U.S. Cls.: 13, 19, 21, 23, 31, 34, and 35

United States Patent and Trademark Office

Reg. No. 3,113,126

Registered July 4, 2006

**TRADEMARK
PRINCIPAL REGISTER**

Titan

STEEL CITY VACUUM CO. (PENNSYLVANIA
CORPORATION)
P.O. BOX 13566
PITTSBURGH, PA 15234

THE MARK CONSISTS OF STANDARD CHAR-
ACTERS WITHOUT CLAIM TO ANY PARTICULAR
FONT, STYLE, SIZE, OR COLOR.

FOR: VACUUM CLEANERS, IN CLASS 7 (U.S.
CLS. 13, 19, 21, 23, 31, 34 AND 35).

SN 78-585,509, FILED 3-11-2005.

FIRST USE 2-1-2005; IN COMMERCE 3-31-2005.

DANIEL BRODY, EXAMINING ATTORNEY

Int. Cl.: 7

Prior U.S. Cls.: 13, 19, 21, 23, 31, 34, and 35

United States Patent and Trademark Office

Reg. No. 3,137,109

Registered Aug. 29, 2006

**TRADEMARK
PRINCIPAL REGISTER**

TITAN

THE TORO COMPANY (DELAWARE CORPORATION)
LEGAL DEPARTMENT
8111 LYNDAL AVE. SOUTH
BLOOMINGTON, MN 55420

FOR: TINES FOR TURF AERATION MACHINES,
IN CLASS 7 (U.S. CLS. 13, 19, 21, 23, 31, 34 AND 35).

FIRST USE 2-0-2005; IN COMMERCE 2-0-2005.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

SN 78-564,595, FILED 2-10-2005.

GEORGIA CARTY, EXAMINING ATTORNEY

Int. Cl.: 7

Prior U.S. Cls.: 13, 19, 21, 23, 31, 34, and 35

United States Patent and Trademark Office

Reg. No. 3,238,252

Registered May 1, 2007

**TRADEMARK
PRINCIPAL REGISTER**

TITAN

STOWE WOODWARD COMPANY LLC (DELA-
WARE LTD LIAB CO)
14101 CAPITAL BOULEVARD
YOUNGSVILLE, NC 27596

FOR: MACHINE PARTS, NAMELY, POLYMERIC
COVERS FOR SUPERCALNDAR ROLLS AND
OTHER INDUSTRIAL ROLLS FOR USE IN THE
PAPERMAKING AND PRINT INDUSTRIES , IN
CLASS 7 (U.S. CLS. 13, 19, 21, 23, 31, 34 AND 35).

FIRST USE 7-14-2006; IN COMMERCE 7-14-2006.

THE MARK CONSISTS OF STANDARD CHAR-
ACTERS WITHOUT CLAIM TO ANY PARTICULAR
FONT, STYLE, SIZE, OR COLOR.

SN 78-660,704, FILED 6-29-2005.

ELISSA GARBER KON, EXAMINING ATTORNEY

Int. Cls.: 6, 7 and 17

**Prior U.S. Cls.: 1, 2, 5, 12, 13, 14, 19, 21, 23, 25, 31, 34,
35 and 50**

Reg. No. 3,209,311

United States Patent and Trademark Office

Registered Feb. 13, 2007

**TRADEMARK
PRINCIPAL REGISTER**

TITAN 

**TITAN UMREIFUNGSTECHNIK GMBH & CO.
KG (FED REP GERMANY KG)
BERLINER STRASSE 51-55
58332 SCHWELM
FED REP GERMANY**

**FOR: PACKAGING STRIPS OF PLASTIC, IN
CLASS 17 (U.S. CLS. 1, 5, 12, 13, 35 AND 50).**

**OWNER OF INTERNATIONAL REGISTRATION
0600793 DATED 3-17-1993, EXPIRES 3-17-2013.**

**FOR: METAL SLEEVES OR FLANGES FOR CLOS-
ING; METAL PACKAGING STRIPS, IN CLASS 6
(U.S. CLS. 2, 12, 13, 14, 23, 25 AND 50).**

SER. NO. 79-011,397, FILED 1-12-2005.

**FOR: AUTOMATIC CRIMPING MACHINES, IN
CLASS 7 (U.S. CLS. 13, 19, 21, 23, 31, 34 AND 35).**

CHRIS WELLS, EXAMINING ATTORNEY

EXHIBIT B

U.S. Trademark Registration No.
3233004

Int. Cl.: 7

Prior U.S. Cls.: 13, 19, 21, 23, 31, 34 and 35

United States Patent and Trademark Office

Reg. No. 3,233,004

Registered Apr. 24, 2007

**TRADEMARK
PRINCIPAL REGISTER**

TRITAN

AERO-MOD INCORPORATED (DELAWARE
CORPORATION)
7927 U.S. HIGHWAY 24
MANHATTAN, KS 66502

FOR: INDUSTRIAL MACHINE PRESSES, NAME-
LY, BELT FILTER PRESSES AND REPLACEMENT
PARTS THEREOF, NAMELY PRESS PLATES AND
FRAMES, FOR USE IN REMOVING WATER FROM
BIOSOLIDS IN WASTEWATER TREATMENT, IN
CLASS 7 (U.S. CLS. 13, 19, 21, 23, 31, 34 AND 35).

FIRST USE 3-16-2006; IN COMMERCE 3-16-2006.

THE MARK CONSISTS OF STANDARD CHAR-
ACTERS WITHOUT CLAIM TO ANY PARTICULAR
FONT, STYLE, SIZE, OR COLOR.

SER. NO. 78-880,572, FILED 5-10-2006.

KATHERINE CONNOLLY, EXAMINING ATTOR-
NEY

EXHIBIT C

U.S. Trademark Registration Nos.
3158716, 3103151, 3092378, 2748766, 2717956, 2706282, 2609132, and 2414505

Int. Cl.: 7

Prior U.S. Cls.: 13, 19, 21, 23, 31, 34, and 35

United States Patent and Trademark Office

Reg. No. 2,414,505

Registered Dec. 19, 2000

**TRADEMARK
PRINCIPAL REGISTER**



W.S. TYLER, INC. (DELAWARE CORPORATION)
3200 BESSEMER RD.
P.O. BOX 8900
GASTONIA, NC 280539065

CRUSHED STONE, ORE, SAND AND GRAVEL , IN
CLASS 7 (U.S. CLS. 13, 19, 21, 23, 31, 34 AND 35).
FIRST USE 12-0-1998; IN COMMERCE 12-0-1998.

FOR: INDUSTRIAL ORE CRUSHING MACHINES
AND VIBRATED SCREEN SEPARATING MACHINES
FOR LOOSE MATERIALS, NAMELY, COKE,

SN 75-569,288, FILED 10-13-1998.

HELEN JOHNSON, EXAMINING ATTORNEY

Int. Cl.: 7

Prior U.S. Cls.: 13, 19, 21, 23, 31, 34 and 35

United States Patent and Trademark Office

Reg. No. 2,609,132

Registered Aug. 20, 2002

**TRADEMARK
PRINCIPAL REGISTER**

TRITON

DCT, INC. (MICHIGAN CORPORATION)
6780 18 1/2 MILE ROAD
STERLING HEIGHTS, MI 48314

FIRST USE 12-0-1998; IN COMMERCE 12-0-1998.

FOR: MACHINES FOR CLEANING AND LUBRI-
CATING METAL BLANKS FOR USE IN METAL
STAMPING MACHINES, IN CLASS 7 (U.S. CLS. 13,
19, 21, 23, 31, 34 AND 35).

SER. NO. 76-208,283, FILED 2-9-2001.

EDWARD NELSON, EXAMINING ATTORNEY

Int. Cl.: 7

Prior U.S. Cls.: 13, 19, 21, 23, 31, 34 and 35

United States Patent and Trademark Office

Reg. No. 2,706,282

Registered Apr. 15, 2003

**TRADEMARK
PRINCIPAL REGISTER**

TRITON

GRACO MINNESOTA INC. (MINNESOTA CORPORATION)
60 ELEVENTH AVENUE NE
MINNEAPOLIS, MN 55413

AND HOSE, IN CLASS 7 (U.S. CLS. 13, 19, 21, 23, 31, 34 AND 35).

FIRST USE 2-0-2001; IN COMMERCE 2-0-2001.

FOR: PNEUMATIC TOOLS, NAMELY, HIGH-VOLUME AND LOW-PRESSURE SPRAYERS FOR APPLYING PAINTS AND OTHER COATING MATERIALS CONSISTING OF A PUMP, SPRAY GUN

SER. NO. 76-288,157, FILED 7-20-2001.

DAWN HAN, EXAMINING ATTORNEY

Int. Cl.: 7

Prior U.S. Cls.: 13, 19, 21, 23, 31, 34, and 35

United States Patent and Trademark Office

Reg. No. 2,717,956

Registered May 20, 2003

**TRADEMARK
PRINCIPAL REGISTER**

TRITON

VAUGHAN CO., INC. (WASHINGTON COR-
PORATION)
364 MONTE-ELMA ROAD
MONTESANO, WA 98563

FIRST USE 6-7-2002; IN COMMERCE 6-7-2002.

SN 76-290,090, FILED 7-24-2001.

FOR: PUMPING MACHINES FOR LIQUIDS AND
SLURRIES AND REPLACEMENT PARTS THERE-
FOR, IN CLASS 7 (U.S. CLS. 13, 19, 21, 23, 31, 34 AND
35).

KAREN BRACEY, EXAMINING ATTORNEY

Int. Cl.: 7

Prior U.S. Cls.: 13, 19, 21, 23, 31, 34, and 35

United States Patent and Trademark Office

Reg. No. 2,748,766

Registered Aug. 5, 2003

**TRADEMARK
PRINCIPAL REGISTER**

TRITON

GENERAL ELECTRIC COMPANY (NEW YORK
CORPORATION)
1 RIVER ROAD
SCHENECTADY, NY 12345

FIRST USE 7-0-1999; IN COMMERCE 9-0-1999.

SN 78-085,949, FILED 9-27-2001.

FOR: DISHWASHERS FOR DOMESTIC USE, IN
CLASS 7 (U.S. CLS. 13, 19, 21, 23, 31, 34 AND 35).

HOWARD SMIGA, EXAMINING ATTORNEY

Int. Cl.: 7

Prior U.S. Cls.: 13, 19, 21, 23, 31, 34 and 35

United States Patent and Trademark Office

Reg. No. 3,092,378

Registered May 16, 2006

**TRADEMARK
PRINCIPAL REGISTER**

Triton

FILTRATION TECHNOLOGIES, L.L.C. (MISSOURI LTD LIAB CO)
10850 GALT INDUSTRIAL DRIVE
ST. LOUIS, MO 63132

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

FOR: INDUSTRIAL PROCESS FUEL FILTERS, IN CLASS 7 (U.S. CLS. 13, 19, 21, 23, 31, 34 AND 35).

SER. NO. 78-492,109, FILED 9-30-2004.

FIRST USE 2-17-2004; IN COMMERCE 2-17-2004.

ANNE E. GUSTASON, EXAMINING ATTORNEY

Int. Cl.: 7

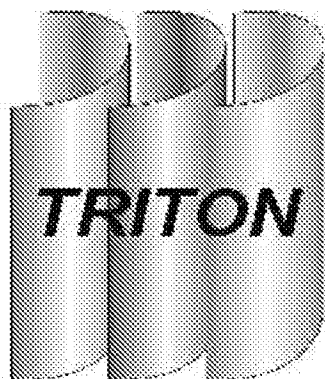
Prior U.S. Cls.: 13, 19, 21, 23, 31, 34 and 35

United States Patent and Trademark Office

Reg. No. 3,103,151

Registered June 13, 2006

**TRADEMARK
PRINCIPAL REGISTER**



FILTRATION TECHNOLOGIES, L.L.C. (MISSOURI LTD LIAB CO)
10850 GALT INDUSTRIAL DRIVE
ST. LOUIS, MO 63132

FOR: INDUSTRIAL PROCESS FUEL FILTERS, IN
CLASS 7 (U.S. CLS. 13, 19, 21, 23, 31, 34 AND 35).

FIRST USE 2-17-2004; IN COMMERCE 2-17-2004.

THE COLOR(S) PINK, GREEN, AND BLUE IS/
ARE CLAIMED AS A FEATURE OF THE MARK.

THE MARK CONSISTS OF THREE VERTICALLY
STACKED HALF CYLINDRICAL SHAPES, WHICH
ARE PINK, GREEN, AND BLUE, WITH THE WORD
TRITON WRITTEN HORIZONTALLY ACROSS THE
MIDDLE OF THE SHAPES.

SER. NO. 78-492,346, FILED 9-30-2004.

RONALD MCMORROW, EXAMINING ATTORNEY

Int. Cl.: 7

Prior U.S. Cls.: 13, 19, 21, 23, 31, 34 and 35

United States Patent and Trademark Office

Reg. No. 3,158,716

Registered Oct. 17, 2006

**TRADEMARK
PRINCIPAL REGISTER**

TRITON

EXMARK MANUFACTURING COMPANY IN-
CORPORATED (NEBRASKA CORPORATION)
2101 ASHLAND AVENUE
BEATRICE, NE 68310

THE MARK CONSISTS OF STANDARD CHAR-
ACTERS WITHOUT CLAIM TO ANY PARTICULAR
FONT, STYLE, SIZE, OR COLOR.

FOR: CUTTING DECKS FOR LAWN MOWERS,
IN CLASS 7 (U.S. CLS. 13, 19, 21, 23, 31, 34 AND 35).

SER. NO. 78-777,193, FILED 12-20-2005.

FIRST USE 8-24-2005; IN COMMERCE 8-24-2005.

MICHAEL KEATING, EXAMINING ATTORNEY